

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

No. 19-1341V

Filed: August 17, 2020

UNPUBLISHED

PHILLIP SHAAK,

Petitioner,

v.

SECRETARY OF HEALTH AND  
HUMAN SERVICES,

Respondent.

Special Master Horner

Order Concluding Proceedings;  
Vaccine Rule 21(a)

*Jordan P. Wartman, Handler, Henning & Rosenberg, LLC, Harrisburg, PA, for petitioner.  
Traci R. Patton, U.S. Department of Justice, Washington, DC, for respondent.*

### **ORDER CONCLUDING PROCEEDINGS**<sup>1</sup>

On September 3, 2019, petitioner filed a petition under the National Childhood Vaccine Injury Act, 42 U.S.C. § 300aa-10-34 (2012), alleging that petitioner suffered severe pain, weakness, and numbness in his upper left arm and fingers as a result from his receipt of the influenza (“flu”) vaccination on October 14, 2016. (ECF No. 1.) This case was originally assigned to the Special Processing Unit (“SPU”). (ECF No. 21.) However, this case was reassigned to my docket on March 2, 2020. (ECF No. 24.)

On June 16, 2020, a status conference was held, where I discussed the case with the parties and ordered petitioner to file additional records and materials. (ECF No. 37.) On August 17, 2020, petitioner filed a Notice of Voluntary Dismissal. (ECF No. 38.)

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<sup>1</sup> Because this decision contains a reasoned explanation for the special master’s action in this case, it will be posted on the United States Court of Federal Claims’ website in accordance with the E-Government Act of 2002. See 44 U.S.C. § 3501 note (2012) (Federal Management and Promotion of Electronic Government Services). **This means the decision will be available to anyone with access to the Internet.** In accordance with Vaccine Rule 18(b), petitioner has 14 days to identify and move to redact medical or other information the disclosure of which would constitute an unwarranted invasion of privacy. If the special master, upon review, agrees that the identified material fits within this definition, it will be redacted from public access.

Accordingly, pursuant to Vaccine Rule 21(a), this case is hereby **dismissed without prejudice**. The Clerk of the Court is hereby instructed that a **judgment shall not enter** in the instant case pursuant to Vaccine Rule 21(a).

**IT IS SO ORDERED.**

**s/Daniel T. Horner**  
Daniel T. Horner  
Special Master